



Sen. M. Maggie Crotty

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LRB095 05643 AMC 49105 a

1 AMENDMENT TO SENATE BILL 885

2 AMENDMENT NO. _____. Amend Senate Bill 885 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Optometric Practice Act of 1987 is
5 amended by changing Section 3 as follows:

6 (225 ILCS 80/3) (from Ch. 111, par. 3903)

7 (Section scheduled to be repealed on January 1, 2017)

8 Sec. 3. Practice of optometry defined; referrals;
9 manufacture of lenses and prisms.

10 (a) The practice of optometry is defined as the employment
11 of any and all means for the examination, diagnosis, and
12 treatment of the human visual system, the human eye, and its
13 appendages without the use of surgery, including but not
14 limited to: the appropriate use of ocular pharmaceutical
15 agents; refraction and other determinants of visual function;
16 prescribing corrective lenses or prisms; prescribing,

1 dispensing, or management of contact lenses; vision therapy;
2 visual rehabilitation; or any other procedures taught in
3 schools and colleges of optometry approved by the Department,
4 and not specifically restricted in this Act, subject to
5 demonstrated competency and training as required by the Board,
6 and pursuant to rule or regulation approved by the Board and
7 adopted by the Department.

8 A person shall be deemed to be practicing optometry within
9 the meaning of this Act who:

10 (1) In any way presents himself or herself to be
11 qualified to practice optometry.

12 (2) Performs refractions or employs any other
13 determinants of visual function.

14 (3) Employs any means for the adaptation of lenses or
15 prisms.

16 (4) Prescribes corrective lenses, prisms, vision
17 therapy, visual rehabilitation, or ocular pharmaceutical
18 agents.

19 (5) Prescribes or manages contact lenses for
20 refractive, cosmetic, or therapeutic purposes.

21 (6) Evaluates the need for, or prescribes, low vision
22 aids to partially sighted persons.

23 (7) Diagnoses or treats any ocular abnormality,
24 disease, or visual or muscular anomaly of the human eye or
25 visual system.

26 (8) Practices, or offers or attempts to practice,

1 optometry as defined in this Act either on his or her own
2 behalf or as an employee of a person, firm, or corporation,
3 whether under the supervision of his or her employer or
4 not.

5 Nothing in this Section shall be interpreted (i) to prevent
6 a person from functioning as an assistant under the direct
7 supervision of a person licensed by the State of Illinois to
8 practice optometry or medicine in all of its branches or (ii)
9 to prohibit visual screening programs that are conducted
10 without a fee (other than voluntary donations), by charitable
11 organizations acting in the public welfare under the
12 supervision of a committee composed of persons licensed by the
13 State of Illinois to practice optometry or persons licensed by
14 the State of Illinois to practice medicine in all of its
15 branches.

16 (b) When, in the course of providing optometric services to
17 any person, an optometrist licensed under this Act finds an
18 indication of a disease or condition of the eye which in his or
19 her professional judgment requires professional service
20 outside the scope of practice as defined in this Act, he or she
21 shall refer such person to a physician licensed to practice
22 medicine in all of its branches, or other appropriate health
23 care practitioner. Nothing in this Act shall preclude an
24 optometrist from rendering appropriate nonsurgical emergency
25 care.

26 (c) Nothing contained in this Section shall prohibit a

1 person from manufacturing ophthalmic lenses and prisms or the
2 fabrication of contact lenses according to the specifications
3 prescribed by an optometrist or a physician licensed to
4 practice medicine in all of its branches, but shall
5 specifically prohibit the sale or delivery of ophthalmic
6 lenses, prisms, and contact lenses without a prescription
7 signed by an optometrist or a physician licensed to practice
8 medicine in all of its branches.

9 (d) Nothing in this Act shall restrict the filling of a
10 prescription by a pharmacist licensed under the Pharmacy
11 Practice Act.

12 (e) Nothing in this Act shall be construed to restrict the
13 dispensing and sale by an optometrist of ocular devices, such
14 as contact lenses, that contain and deliver ocular
15 pharmaceutical agents permitted for use or prescription under
16 this Act.

17 (Source: P.A. 94-787, eff. 5-19-06; 95-689, eff. 10-29-07.)".